605936 B: 814 P: 504 RES 03/17/2021 03:01:24 PM Page: 1 of 3 R 0.00 D Dallas Schroeder Recorder, Elbert County, Co

STATE OF COLORADO	}
	} ss
COUNTY OF ELBERT	}

At a regular meeting of the Board of County Commissioners for Elbert County, State of Colorado, held at the Elbert County Fairgrounds-Agricultural Building in Kiowa on Wednesday, the 10th day of March, 2021, there were present:

Christopher Richardson

Chair

Grant Thayer

Vice Chair

Rick Pettit

Commissioner

Amanda Moore

Deputy Clerk to the Board

When the following proceedings, among others were had and done, to wit:

APPROVE RESOLUTION 21-14

SU-19-0099 MESSER EVENT CENTER. A REQUEST TO ALLOW FOR A SPECIAL USE BY REVIEW TO OPERATE AN AGRICULTURAL EVENT CENTER ON APPOXIMATELY 20.0 ACRES LOCATED AT 33955 COUNTY ROAD 37, KIOWA.

WHEREAS, the applicant, Tom Maroney, has submitted an application (Case No. SU-19-0099) requesting approval of a Special Use by Review to operate an Agricultural Event Center on approximately 20.0 acres located at 33955 County Road 37, Kiowa; and

WHEREAS, the proposed project is located in Section 13, Township 8 South, Range 64 West of the 6th Principal Meridian in Elbert County; and

WHEREAS, the Community and Development Services Department and the Planning Commission made the following Findings related to the applications:

- 1. The proposal is in general conformance with the Elbert County Comprehensive Plan; and
- 2. The proposal meets the criteria for approval in the Elbert County Zoning Regulations; and
- 3. The Elbert County Subdivision Regulations are not applicable to this application; and
- 4. The proposed land use is compatible with existing and allowable land uses in the surrounding area; and
- 5. The proposed land use will not result in significant impact to the health, safety, and welfare of the residents and landowners of the surrounding area.

WHEREAS, on February 16, 2021, the Planning Commission held a public hearing on this application. At the hearing there were presentations by Staff and the applicant, and public comment was solicited. On a vote of 6 to 0 the Planning Commission forwarded their recommendations to the Board of County Commissioners for their consideration; and

WHEREAS, the Board of County Commissioners, having found that this hearing was properly

noticed, and having reviewed the recommendations of the Planning Commission, and having reviewed the documentation of the applicant, and having listened to all public comment, and being fully advised in the premise.

BE IT THEREFORE RESOLVED, the Board of County Commissioners does hereby approve **SU-19-0099 MESSER EVENT CENTER SUR** with conditions of approval to include:

- 1. The applicant will be required to remove the Public Hearing sign(s) within seven (7) days of a decision by the Board of County Commissioners.
- 2. The Special Use by Review shall not become effective until all fees are paid, conditions of approval are net, and the Special Use by Review Exhibit is recorded.
- 3. Recordation of all appropriate documentation is to occur within 180 days of Board of County Commissioners' approval.
- 4. The applicant will comply with CDOT's final determination regarding the construction of accel/decel lanes at the intersection of CR 37 & SH 86.
- 5. A commercial well permit shall be obtained if water is to be used for the commercial uses associated with this events center.
- 6. The property should be assessed and taxed at a commercial rate as it is providing a service and is not just agricultural property.
- 7. All outdoor lighting fixtures will be properly shielded from adjoining and adjacent properties and any street right-of-way.
- 8. Signage shall be in place to identify parking areas and vehicular circulation.
- 9. Signage at the corner of State Highway 86 and County Road 37 shall be removed from the right of way.
- 10. An updated traffic letter shall be provided to the Elbert County Public Works Department prior to approval.
- 11. Conduct an Annual Fire Code Inspection of the arena, office building and any other associated buildings on the property.
- 12. Fire lanes must be clearly marked on all sides of the building.
- 13. All points of vehicle ingress and egress must be improved to the satisfaction of the Kiowa Fire District.
- 14. All events with over 250 attendees must have an inspection and approval by the Kiowa Fire District.